

ASSIGNED

NO. 64972

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

NEW PRIORITY DATE:

Date of filing in State Engineer's Office MAR 22 1999 MAY 19 2006

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 01 1990 under 54401

The applicant **William R. Tomerlin Trust**, hereby makes application for permission to change the **Point of Diversion and Place of Use of a Portion** of water heretofore appropriated under **Permit 54402**

1. The source of water is **An Underground Source**
2. The amount of water to be changed **0.1448 CFS not to exceed 14.56 acre feet annually**
3. The water to be used for **Quasi-Municipal Purposes (No Change)**
4. The water heretofore permitted for **Quasi-Municipal Purposes**
5. The water is to be diverted at the following point **Within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T12N, R19E, MDB&M or at a point from which the South $\frac{1}{4}$ corner of said Section 10 bears S 08°45'E, 2260 feet.**
6. The existing permitted point of diversion is located within the **NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T12N, R19E, MDB&M or at a point from which the South $\frac{1}{4}$ corner of said Section 10 bears S 00°31'46"W, 1733.4 feet.**
7. Proposed place of use **NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and portions of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T12N, R19E, MDB&M, Douglas County, Nevada (APN 19-110-43)**
8. Existing place of use **Portions of the SW $\frac{1}{4}$ and the E $\frac{1}{2}$ of Section 10, T12N, R19E, MDB&M, Douglas County, Nevada.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Well submersible pump and motor, totalizing meter, distribution system and a 253,000 gallon storage tank.**
12. Estimated cost of works **Phase I improvements-\$475,000 & Phase II Improvements-approximately \$125,000**
13. Estimated time required to construct works **1 Year - Completed well is 8 inches in diameter and 255 feet deep. Storage tank and Phase I distribution system are completed. Phase II distribution system is under construction.**
14. Estimated time required to complete the application of water to beneficial use **10 years to build out of Phase I & II of Sierra Country Estates.**

15. Remarks: Please use the map filed under Permit 54401 to show the existing point of diversion and place of use and the map filed under Permit 58765 to show the proposed point of diversion and place of use. This application is being filed to move additional water rights into the existing well covered under Permit 58765 as referred to in Kurt Suchland's latter dated December 8, 1998.

By B.J. Vasey
s/B.J. Vasey
P.O. Box 1120
Minden, Nevada 89423

Compared dl/cms cl/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 54402 is issued subject to the terms and conditions imposed in said Permit 54402 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 58765, 58766, 64972, 64989, and 64990 shall not exceed 58.68 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water used. The State Engineer will determine after the first 12 months of reporting, what further reporting requirements are necessary, but in no instance less than semi-annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1448 cubic feet per second, **but not to exceed 14.56 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

March 9, 2001

Proof of the application of water to beneficial use shall be filed on or before:

April 9, 2001

Map in support of proof of beneficial use shall be filed on or before:

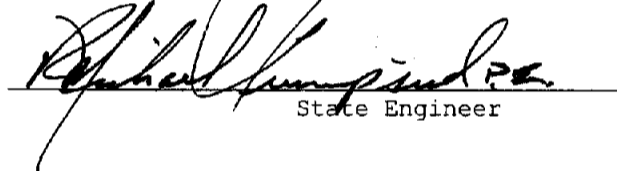
N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 23rd day of, December A.D. 1999


State Engineer

Completion of work filed under 58765 (May 2, 1996)

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

~~CANCELLED OCT 13 2006 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT~~

~~Tammy T. Re~~ STATE ENGINEER
~~Can. Rescinded 7-13-2007~~